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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,426	10/30/2001	Martin DeGeorge	MATP-607US	2073
23122	7590	02/27/2004	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			ELAHEE, MD S	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,426

Applicant(s)

DEGEORGE, MARTIN

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments mailed on 11/28/03 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Drawings

2. The drawing is objected to because regarding fig. 2, the block 230 'DTMF DEDCODE' appears to be the block 230 'DTMF DECODER'. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 1 is objected to because of the following informalities: regarding claim 1, the preamble 'telephone answering machine' appears to be 'telecommunication unit'. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 6, 13, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hashimoto et al. (U.S. Patent No. 5,909,647).

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Regarding claims 1 and 13, Hashimoto teaches an outgoing message unit (OGM) that receives the audio messages (abstract; fig.2; col.3, lines 1, 2; 'outgoing message unit (OGM)' reads on the claim 'answering machine module').

Hashimoto further teaches a DTMF tone decoder which converts the DTMF tones to digital codes (i.e., text) matching respective individual keys on a telephone keypad (fig.2, fig.5; col.2, lines 63-67, col.4, lines 40-65).

Hashimoto further teaches a memory (fig.2; col.3, lines 4-6; 'memory' reads on the claim 'storage device').

Hashimoto further teaches a control unit (i.e., processor) that stores the received audio messages and the data records (i.e., text) corresponding to the DTMF tones into a memory (fig.2, fig.5; col.3, lines 4-6, col.4, lines 5-14, 40-65; 'audio message' reads on the claim 'received audio messages').

Regarding claims 3 and 15, Hashimoto further teaches a control unit (i.e., processor) that stores the message corresponding the data records (i.e., text) into a memory (fig.2, fig.5; col.3, lines 4-6, col.4, lines 5-14, 40-67, col.5, lines 1-4; 'audio message' reads on the claim 'the speech signals in place of the DTMF tones in the respective audio messages').

Regarding claims 4 and 16, Hashimoto teaches a console unit, coupled to the processor for providing commands to the control unit (i.e., processor) (fig.2; col.2, lines 55-59, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Hashimoto further teaches an auto-dialer unit (i.e., interface) to an exchange B (i.e., public switched telephone network (PSTN)) (fig.1, fig.2).

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Hashimoto further teaches that the control unit (i.e., processor) is responsive to a command provided via the console unit to inherently retrieve the DTMF tones from the memory (i.e., storage device) to call up (i.e., initiate a telephone call) (fig.2; col.2, lines 55-59, col.3, lines 3, 4, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Regarding claim 6, Hashimoto teaches a telephone answering machine including a display output port and a voice synthesis (i.e., audio output) port, whereby the stored audio message are provided to the voice synthesis (i.e., audio output) port and the respective stored data (i.e., text) is provided to the display output port for displaying (i.e., concurrent presentation) to a caller (fig.2; col.3, lines 8-12, col.5, lines 1-4, 20-23, 31-41).

Regarding claim 18, Hashimoto teaches providing the message (i.e., audio message) as an audio output signal (col.3, lines 55-61, col.4, lines 66, 67, col.5, lines 1-4).

Hashimoto further teaches displaying stored text corresponding to audio message as the respective audio message is provided (col.5, lines 1-4, 20-23, 31-41).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 5, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 2 and 14 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hashimoto fails to teach "text-to-speech conversion means which converts the text to speech signals". McNutt teaches software routines converting the text to speech parameter (col.4, lines 44-67, col.5, lines 1-13; 'software routines' reads on the claim 'text-to-speech conversion means' and 'speech parameter' reads on the claim 'speech signals'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow text-to-speech conversion means as taught by McNutt. The motivation for the modification is to have the text-to-speech conversion means in order to provide the speech signal.

Regarding claim 5 is rejected for the same reasons as discussed above with respect to claim 4. Furthermore, Hashimoto further fails to teach "a DTMF tone generator configured to translate text numbers into DTMF tones". McNutt teaches a DTMF generator circuit to convert text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; 'DTMF generator circuit' reads on the claim 'DTMF tone generator configured', 'convert' reads on the claim 'translate' and 'text into DTMF signals' reads on the claim 'text numbers into DTMF tones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow the DTMF tone generator to translate text numbers into DTMF tones as taught by McNutt. The motivation for the modification is to have the DTMF tone generator in order to provide the telephone number to the callee.

Hashimoto further teaches that the control unit (i.e., processor) is responsive to a command provided via the console unit to inherently retrieve the text corresponding to the DTMF tones from the memory (i.e., storage device) and to provide the retrieved text to the

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DTMF tone generator (fig.2; col.2, lines 55-67, col.3, lines 3, 4, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Regarding claim 17, Hashimoto further fails to teach "converting the stored text corresponding to one of the received audio messages to DTMF tones". McNutt teaches converting text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; 'text into DTMF signals' reads on the claim 'the stored text corresponding to one of the received audio messages to DTMF tones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow the DTMF tone generator to convert text to DTMF tones as taught by McNutt. The motivation for the modification is to have the conversion in order to provide the telephone number to the callee.

Hashimoto further teaches calling up a number by providing the number data to a telecommunications network (fig.2; col.3, lines 3, 4, col.5, lines 20-23, 31-41; 'calling up a number' reads on the claim 'initiating a telephone call' and 'number data' reads on the claim 'converted DTMF tones').

8. Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Schindler et al. (U.S. Patent No. 6,516,467).

Regarding claim 7 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hashimoto fails to teach "video processing circuitry". Schindler teaches video driver (col.3, lines 38-67, col.21, lines 49-67, col.22, lines 1-14; 'video driver' reads on the claim 'video processing circuitry'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to allow a video processing

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circuitry as taught by Schindler. The motivation for the modification is to have the video processing circuitry in order to process video signals.

Hashimoto further fails to teach "audio processing circuitry". Schindler teaches audio processing circuit (col.3, lines 38-67, col.21, lines 49-67, col.22, lines 1-14; 'audio processing circuit' reads on the claim 'audio processing circuitry'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to allow an audio processing circuitry as taught by Schindler. The motivation for the modification is to have the audio processing circuitry in order to process audio signals.

Hashimoto further fails to teach "displays the text using the video processing circuitry". Schindler teaches displaying the data using video driver (abstract; col.3, lines 42-67, col.21, lines 49-67, col.22, lines 1-14; 'data' reads on the claim 'text' and 'video driver' reads on the claim 'video processing circuitry'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler to display the text using the video processing circuitry as taught by Schindler. The motivation for the modification is to have the display in order to provide the text message.

Regarding claim 12 is rejected for the same reasons as discussed above with respect to claim 6.

9. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Schindler et al. (U.S. Patent No. 6,516,467) and further in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 8 and 9 are rejected for the same reasons as discussed above with respect to claims 2 and 3 simultaneously.

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10. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Schindler et al. (U.S. Patent No. 6,516,467) and further in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 10 and 11 are rejected for the same reasons as discussed above with respect to claims 4 and 5 simultaneously.

Conclusion.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Smith et al. (U.S. Patent 6,333,973) teach integrated message center.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.
MD SHAFIUL ALAM ELAHEE
February 20, 2004

FAN TSANG
SUPERVISOR PATENT EXAMINER
TECHNICAL CENTER 2600

